



ENVIRONMENTAL & REGULATORY SERVICES DIVISION
BUREAU OF PECFA
P.O. Box 8044
Madison, Wisconsin 53708-8044
TTY: Contact Through Relay
Jim Doyle, Governor
Richard J. Leinenkugel, Secretary

Wisconsin Department of Commerce, Bureau of PECFA Bid Document

SECTION 1 - Scope of Work

The Bureau of PECFA is seeking competitive bids to perform remedial services for a petroleum release from a regulated petroleum product storage tank system. This bid is for a specified work scope. The site upon which bids are being solicited is:

Bid Round: 62
Commerce #: 53590-2833-37-A
BRRTS #: 03-13-182590
Site Name: Marathon Station #2066
Site Address: 537 W Main Street, Sun Prairie, 53590
Site Manager: Wendell Wojner
Address: 3911 Fish Hatchery Rd
City, State Zip: Fitchburg, WI 53711-5367
Phone: 608-275-3297
e-mail: wendell.wojner@wisconsin.gov
Bid Manager: Ralph N. Smith
Address: P.O. Box 8044
City, State Zip: Madison, Wisconsin 53708-8044
Phone: (608) 261-6543
e-mail: ralph.smith@wisconsin.gov

Bid-Start Date:	August 24, 2009
Questions must be received by (See Section 2 (B)):	September 7, 2009, 4:00 PM
Responses will be posted by (See Section 2 (B)):	September 25, 2009
Bid-End Date and Time:	October 9, 2009, 4:00 PM

The case file, including report(s) and other pertinent information upon which bids are being sought, are available for review at the Site Manager's location listed above. Please contact the Site Manager for an appointment to review the file.

If pertinent information is not available, please contact the Site Manager.

Note: No file information was sent to a copy shop. File information contained Notification of a release, a Responsible Party letter and a series of requests by the WI DNR for a site investigation to be performed. There are no site maps or significant information in the file. Please contact the Site Manager for an appointment to review the file.

SECTION 2 – Site-Specific Bid Requirements

General Comments

In 1998, a site assessment determined that there was soil contamination at the site. In 1998, three (3) USTs (6000 gallons, 14,000 gallons and 8000 gallons) were removed from this site. It is not clear from the file whether the piping runs have been removed or remain buried on-site. No assessment was done at the time of tank removal.

Approximately 900 tons of soil was removed from the site and disposed of at a landfill but, there is no record of confirmation samples in the file. New 12,000 gallon and 6,000 gallon unleaded underground storage tanks were installed.

Soils at the site generally consist of sandy glacial till with sandstone bedrock at about 28 feet below ground surface (bgs). Groundwater is present between 8-12 feet bgs and flow is towards the southeast.

This bid is intended to better define soil contamination to determine whether there are areas of concern.

Minimum Remedial Requirements

Activities under this work scope should commence within 60 days after obtaining a signed contract. The scope of work to be performed is for site investigation activities.

Soils: Install an additional five (5) soil borings to a maximum depth of 20 feet below ground surface (bgs) (actual depths may be less). The soil borings must be continuously sampled from the surface downward, field screened for volatile contamination and lithology recorded. Collect two samples from each soil boring for laboratory analysis of petroleum volatile organic compounds (PVOC) plus, naphthalene and lead (Pb). One sample should be taken from the zone of highest obvious contamination and one at the soil/groundwater interface or end of the boring to document that the vertical extent of soil contamination has been defined (maximum 10 samples). If no contamination is evident, then only the bottom sample will be required. This soil investigation may be conducted using direct push technology.

Approximate boring locations should be determined with respect to the existing underground storage tanks and distribution lines. All soil wastes shall be properly handled, stored, and disposed. Soil sampling costs shall include all associated waste disposal costs.

Groundwater: Install three (3) 2-inch diameter monitoring wells at the site to define the extent of the groundwater contaminant plume on the property. The monitoring wells should have a screened interval of 10 feet which can be determined from the soil boring investigation work. Based on a neighboring site, the screened interval is projected to be approximately from 10 feet to 20 feet below ground surface for the water table monitoring wells. If significant contamination is observed at the time of the soil boring work, a fourth monitoring well shall be installed as a piezometer and shall not be located in the source area. The screened interval for the piezometer is projected to be approximately from 30 feet to 35 feet below ground surface and likely in bedrock. Each new monitoring well shall be finished off as flush mounts. Any revisions to the monitoring wells installations must be approved by the WDNR and COMM at the time of the installation.

Bidders should include costs for obtaining site access and/or city permits. Bid costs shall include all waste disposal, development of the new monitoring wells, and survey costs. All investigative waste during the site activities shall be removed when

generated; no waste shall be temporarily stored on site. Toxicity Characteristic Leaching Potential (TCLP) documentation and sampling requirements vary depending on the landfill. Therefore, bidders must include a line-item cost for TCLP sample collection and analysis, to be used if required. The new monitoring wells and their locations shall be surveyed in accordance with s. NR141.065(2), Wis. Adm. Code.

Complete four (4) rounds of quarterly groundwater monitoring of the three (3) wells associated with the site investigation. Groundwater samples should be analyzed for Volatile Organic Compounds (VOCs) in the first round of sampling and then subsequent rounds should be analyzed for Petroleum Volatile Organic compounds (PVOCs) plus naphthalene. RNA parameters (dissolved N-Nitrate, dissolved sulfate, and dissolved iron) should be analyzed for on one of the sampling events. Field measurements shall be obtained for each round of sampling for pH, conductivity, dissolved oxygen, redox, and temperature.

If PECFA-ineligible compounds are detected, then propose a costs separation methodology to Commerce for further review.

Water table elevations shall be measured, as well as any free product that might be present for both quarterly groundwater monitoring rounds. Inspect wells during each of the groundwater sampling events for the presence of free product. If present, the DNR project manager will be contacted and efforts should be employed to obtain a representative groundwater sample for analyses. Regarding groundwater sampling for any well containing free product, consider using a bottom discharge device for bailers to help prevent any free product from being incorporated in the sample vial. Complete these inspection and product measurement and handling activities prior to the well purging and sampling required in the task listed above.

All groundwater and free product wastes shall be removed, properly handled, stored, and disposed with records kept of the volume. Groundwater sampling costs shall include all associated waste disposal costs.

Documentation

In addition to the specific electronic reporting requirements in Comm 47.70 to monitor the progress of activities at each bid site as listed below, the contracted consulting firm must submit the following:

Quarterly progress reports shall be submitted to the WDNR and Commerce. These reports shall include soil sampling results, free product measurement data, groundwater sample analytical results, groundwater flow and contaminant isoconcentration maps, waste disposal documentation, well installation documentation, etc.. Water table elevations, obtained for each sampling round shall be presented in tabular form. The reports will include, but not be limited to, required and customary data and documentation, such as tables and figures depicting groundwater chemistry and flow, and copies of laboratory reports and chain of custody forms. In addition, the final report must include an evaluation of the data and a recommendation for the most practicable remedy at the site. Property boundaries in common with all adjacent properties shall be depicted on all site figures. Copies of all reports shall be sent to WDNR and Commerce project managers.

While this bid is not a bid to closure, there is a possibility of additional groundwater monitoring or attaining closure at the conclusion of the work scope conducted under this bid. If closure is appropriate, a recommendation for closure should be provided in the final report mentioned above. If the WDNR project manager concurs with this

recommendation, prepare and submit a complete closure report and GIS Registry packet (consistent with ch. NR 726, Wis. Adm. Code requirements) for closure consideration by the WDNR (and provide a copy to Commerce). For the purposes of the bid, bidders should include costs for additional monitoring and all closure related costs (including, but not limited to final well abandonment costs, closure form and narrative, GIS packet, deed restriction and maintenance plan), and final claim preparation in their bid.

A bid will be considered non-compliant if the bid response does not include a separate tabulation of costs for each activity (see table in order to submit price quotes).

SECTION 3 - Reporting Timeframes

Within *60 days* of the Commerce notification of the maximum reimbursement amount, the responsible party (RP) must execute a written contract with one of the firms that submitted a bid. Failure to execute the written contract within this time will result in ineligibility of interest expenses incurred from the date of the reimbursement cap letter until a contract is executed and work commences at the site. Work must commence within *45 days* of signing a contract. There are specific reporting requirements in Comm 47.70 to monitor the progress of activities at each bid site and there may be additional reporting requirements outlined above. The consulting firm that is contracted to complete the scope of work is required to report the progress of this site to Commerce electronically on the web site at each of the following points:

1. Within fourteen days of executing or terminating a contract with the RP.
2. Three months after entering into the contract with the RP.
3. Twelve months after beginning the work in the successful bid, unless the project is completed before that time (point 6 applies).
4. Twelve months after submitting the previous report (point 3), unless the project is completed before that time (point 6 applies).
5. No later than 10 days after encountering a change in circumstances (the list of circumstances is in Comm 47.70 (3)).
6. No later than 30 days after completing the work.
7. As directed by Commerce.

If Commerce determines that the consulting firm is failing to make adequate progress to complete the scope of work, Commerce will notify the RP and may reduce the reimbursement to accurately reflect the work completed.

Claim Submittal

A claim must be submitted to Commerce within 120 days of submitting the report described in *Reporting Timeframe, point #6*. If a claim is not submitted by the deadline described above, interest costs from the date the report (point #6) is submitted to the date the claim is received will not be reimbursed to the claimant. The claim preparation cost must be included in the Total Bid Amount and is considered within the reimbursement cap.

Questions and Answers

Questions, answers and interpretations will be considered an amendment of this solicitation. All questions must be submitted in writing (fax and electronic mail submittals are acceptable) to the Bid Manager identified in Section 1 of this solicitation. All answers and interpretations shall be in writing from the Bid Manager. Neither the PECFA program nor Commerce shall be legally bound by any amendments or interpretations that are not in writing. Bidders are not to contact other personnel located within the Department of Commerce/Bureau of PECFA concerning the site or the bid solicitation between the Bid Announcement Date and Bid End Date. No further questions will be addressed after the deadline for submitting questions identified in Section 1.

SECTION 4 - Conditions of Bid

The successful bidder will be the entity that complies with all provisions of the bid and provides the lowest total cost, excluding interest, for the site-specific bid requirements described in Section 2. In preparing the bid, the bidder must assume compliance with all applicable codes, including, but not limited to, §Comm 46, §Comm 47, and §NR 700 Wis. Admin. Codes.

The bid Commerce selects to determine the least costly method of remedial action will be the least costly qualified bid. Commerce will rank the bids solely on the basis of cost. Evaluation of bids will continue until the least costly qualified bid is identified. Submittals from an individual or firm during their period of disqualification from bidding, submittals received late and for submittals without a certified commitment (performance assurance and/or signature) will not be considered as bids. Commerce may disqualify a bid for the following reasons:

- Requirements of the bid specifications have not been met.
- The remedial strategy is not appropriate to the geologic setting.
- A Total Bid Amount is insufficient to fund the activities described in the bid specifications.

Commerce reserves the right to reject any and all bids.

Any proposed technology or methods used in the remediation must be allowed for use in the State of Wisconsin and approvable by the agency with jurisdiction (Natural Resources or Commerce).

The bidder Commerce intends to select may be required to provide input to and attend a meeting with the PECFA program and the claimant to explain the bid and remedial approach.

If a bid is disqualified, Commerce will provide written notification to any individual or firm that submitted a disqualified bid. The notification shall specify the reasons for the disqualification, and inform the individual or firm of their right to protest or appeal the decision. If a bid is more costly than the bid Commerce intends to select, the bid will not be reviewed.

The *Notice of Intent* will identify the least costly bid, disqualified bid(s) and bid(s) not reviewed. The *Notice of Intent* will be sent to the RP and will be posted on PECFA's Internet Web site.

SECTION 5 - Instructions to Bidders

Between the bid start and end dates, bidders shall not discuss or attempt to negotiate any aspects of the bid with the RP, other potential bidders or program staff without prior approval of the Bid Manager identified in Section 1. Infractions will result in rejection of the violator's bid and may result in a formal complaint being filed with the Department of Regulation and Licensing.

If access to the site is necessary for the preparation of a bid, access shall be arranged through the Bid Manager. If the Bid Manager is not able to arrange site access, this will not delay the bid process nor negate the comparison and selection from among the bids submitted. All costs associated with a site visit or preparation of a bid will be the bidder's responsibility.

The Bidding Process must conform to the following:

1. The Bid Response shall address all the site-specific bid requirements identified in Section 2.
2. The total bid amount to accomplish the stated goal must include all fees, reporting costs, pre- and post-closure costs and costs for establishing restrictions or institutional controls, when applicable (interest costs are excluded).
3. The submittal must include a copy of the Bid Response document signed by a Professional Engineer, Professional Geologist, Hydrologist or Soil Scientist licensed by the State of Wisconsin. The appropriate registration number of the professional license must be included. Registration requirements are listed in Comm 5.
4. Bids *cannot* be faxed or sent electronically (email) to the program. Documents received by fax or email will not be considered.
5. Bids, amendments thereto or withdrawal requests must be received by 4 pm on the bid end date.
6. The consulting firm's name must be included and all pages of the Bid Response.
7. All costs must be printed (ink, typewritten or computer). Errors must be crossed out, corrections entered and initialed by the person signing the bid. Correction fluid is not allowed. No bid shall be altered or amended after the time specified for the bid end date.
8. Each bidder shall fully acquaint themselves with conditions relating to the scope and restrictions attending to the execution of the work under the conditions of this bid. The failure of a bidder to acquaint themselves with existing documented conditions shall in no way relieve any obligation with respect to this bid.
9. All amendments to and interpretations of this bid shall be in writing from the Bid Manager. Neither Commerce nor the program shall be legally bound by any amendment or interpretation that is not in writing.
10. This bid is intended to promote competition. If the language, specifications, terms and conditions, or any combination thereof restricts or limits the requirements in this bid to a single source, it shall be the responsibility of the interested bidders to notify the program in writing so as to be received five days prior to the opening date. The bid may or may not be changed; however a review of such notification will be made prior to award.

SECTION 6 - Bidder Disqualification

Commerce may disqualify from public bidding any individual or firm that has committed any of the following (Comm 47.67 (1) (a)):

1. Failed to complete the scope of work within the reimbursement cost cap established through public bidding.
2. Failed to complete the scope of work in a bid in a timely manner.
3. Failed to follow DNR rules on the bid project.
4. Received one or more notices from Commerce under s. Comm 47.62 (2) that assess the financial management of an investigation as unacceptable.
5. In any prior occurrence that has been publicly bid, failed to do either of the following:
 - a. Pay subcontractors after receiving payment for them.
 - b. Obtain lien waivers on or before the date of the final payment by the RP or the PECFA program, from all subcontractors paid under subd. 5. a.
6. Failed to execute a contract with the RP as required in s. Comm 47.69 (1).
7. Failed to commence work within 45 days after executing a contract, as required in s. Comm 47.69 (3).

Commerce may disqualify any individual or firm from performing further work on a project if the individual or firm has not completed any of the six reporting points required in Comm 47.70 and outlined in Section 2 of this bid document. Commerce will review and address the issue as stated in Comm 47.70 (4).

BID RESPONSE – BID ROUND 62

(1st Page)

Department of Commerce PECFA Program

Site Name: Marathon Station #2066

Commerce #: 53590-2833-37-A

BRRTS #: 03-13-182590

Submit Bid Response To: Cathy Voges
Public Bid Response
Department of Commerce PECFA Bureau
201 W Washington Ave, Madison WI 53703-2760 or
PO Box 8044, Madison WI 53708-8044

Consulting Firm Name: _____

Complete Mailing _____

Address: _____

Telephone: () - _____

Fax Number: () - _____

E-mail Address: _____

Bidder (check one that applies):

<input type="checkbox"/>	Professional Engineer	License # _____
<input type="checkbox"/>	Professional Geologist	License # _____
<input type="checkbox"/>	Hydrologist	License # _____
<input type="checkbox"/>	Soil Scientist	License # _____



Use this box to certify (by marking with a check or X) a commitment to complete the work described in the bid specifications in its entirety for the Total Bid Amount proposed below. Failure to provide this performance assurance will disqualify this bid response. Providing unsolicited qualifications and/or contingency statements in your bid submittal will disqualify the bid response.

Total Bid Amount: \$ _____

Print Name: _____

Title: _____

I certify that I have the authority to commit my organization or firm to the performance of the bid I have submitted.

Signature: _____

BID RESPONSE – BID ROUND 62**(2nd Page)**

Department of Commerce PECFA Program

Site Name: Marathon Station #2066**Commerce #: 53590-2833-37-A****BRRTS #: 03-13-182590****Consulting Firm Name:** _____

A bid will be considered non-compliant if the bid response does not include a separate tabulation of costs for each activity.

1	Install 100 feet of soil borings and collect soil samples; soil sample lab analyses (assumes 5 borings; ten total samples for PVOC + Naph. + Pb) includes waste containment and disposal.	\$
2	Install/develop three groundwater monitoring wells to 20 ft bgs (for purpose of bid, screen is 10 – 20 bgs); includes waste containment and disposal.	\$
3	Four quarterly rounds of groundwater sampling as per specifications; includes lab analysis, waste containment and disposal, mob/demob.	\$
4	Quarterly reporting and Comm 47.70 web reporting including compiling comprehensive table results, historical excavation documentation (if found), etc.	\$
5	PECFA Claim Preparation	\$
6	Total Bid Amount	\$
CONTINGENCY COSTS (Will be Approved and Added to the Bid Cap as Needed) - NOTE next page.		
•	Collection and Analysis of TCLP Soil Samples for Landfill Disposal	\$
•	Collect and analyze a sample of weathered LNAPL from the thickest apparent LNAPL well	\$
•	Costs to collect soil samples for quantitative sieve testing	\$
•	Costs for removal, storage and disposal of free product (includes mobilization for disposal).	\$

•	Costs for access agreement – provide a per agreement unit cost (Quantity 1).	\$
•	Cost rate for additional (or less) soil boring footage \$/ft.	\$/ft
•	Cost rate for additional (or less) piezometer with five foot screen from 30-35 ft bgs – bedrock drilling is expected (includes drilling and installation footage rate combined) \$/ft.	\$/ft
•	Final well abandonment costs (includes mob/demob) & waste disposal.	\$
•	Contingency costs for all costs to closure as per contingency specifications; <u>including cost for final claim preparation</u> . Bidders should include all closure-related costs, excluding well abandonment and waste disposal costs, but not limited to, the following: Closure Form and Narrative (complete closure report) GIS packet, deed restriction and cap maintenance plan, if applicable.	\$